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8	NOT FOR CITATION			
9	UNITED STATES DISTRICT COURT			
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
11				
12	PAUL ALYWEN REDD, JR.,)	No. C 05-3675	JF (PR)
13	Plaintiff,))	ORDER ADD: JUDGMENT	RESSING POST MOTIONS
14	VS.			
15	EDWARD ALAMEIDA, et al.,)		
16	Defendants.)	(Docket Nos. 3	4, 35 & 36)
17)		
18 19	The Court granted Defendants' motion to dismiss and entered judgment on August			
20	29, 2008. Plaintiff filed a timely motion for extension of time to file a notice of appeal,			
21	which the Court granted on October 23, 2008. Therefore, Plaintiff's notice of late appeal			
22	filed on October 30, 2008, is timely. Plaintiff has also filed a request for a certificate of			
23	appealability, (Docket No. 34), a motion for appointment of counsel (Docket No. 35), and			
24	a motion to proceed in forma pauperis on appeal (Docket No. 36.)			
25	Plaintiff's request for a certificate of appealability (Docket No. 34) is DENIED as			
26	a certificate of appealability is not applicable to 42 U.S.C. § 1983 actions.			
27	Plaintiff's motion for appointment of counsel (Docket No. 35) is DENIED without			
28	prejudice to bringing it directly in the Ninth Circuit.			
	Order Addressing Post Judgment Motions			
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Plaintiff's motion to proceed in forma pauperis on appeal (Docket No. 36) is DENIED. The appeal is frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3). IT IS SO ORDERED. DATED: __11/4/08 United States District Judge